

1 DAVID CHIU (SBN 189542)  
City Attorney  
2 JESSE SMITH (SBN 122517)  
Chief Assistant City Attorney  
3 YVONNE R. MERÉ (SBN 173594)  
Chief Deputy City Attorney  
4 JULIE VEIT (SBN 209207)  
CHRISTOPHER STUART (SBN 262399)  
5 Deputy City Attorneys  
City Hall  
6 1 Dr. Carlton B. Goodlett Place  
San Francisco, California 94102-4682  
7 Telephone: (415) 554-4700  
Facsimile: (415) 554-4757  
8 Email: Cityattorney@sfcityatty.org  
Jesse.Smith@sfcityatty.org  
9 Yvonne.Mere@sfcityatty.org  
Julie.Veit@sfcityatty.org  
10 Christopher.Stuart@sfcityatty.org

11 MICHAEL E. DERGOSITS (SBN 118206)  
12 IGOR SHOIKET (SBN 190066)  
DERGOSITS & NOAH LLP  
13 One Embarcadero Center, Suite 720  
San Francisco, CA 94111  
14 Telephone: (415) 705-6377  
Facsimile: (415) 750-6383  
15 Email: mdergosits@dergnoah.com  
ishoiket@dergnoah.com  
16

17 Attorneys for Plaintiff  
18 CITY AND COUNTY OF SAN FRANCISCO

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA

21 CITY AND COUNTY OF SAN  
22 FRANCISCO,

23 Plaintiff,  
24 vs.

25 CITY OF OAKLAND AND PORT OF  
26 OAKLAND,

27 Defendants.

28 AND RELATED COUNTERCLAIM

**FILED**

Jun 26 2024

Mark B. Busby  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO

Case No. 3:24-cv-02311-TSH

**STIPULATION AND ~~[PROPOSED]~~ ORDER  
CONTINUING CASE MANAGEMENT DATES  
AND DEADLINES**

Pursuant to Civil Local Rule 6-2, Plaintiff and Counterdefendant CITY AND COUNTY OF SAN FRANCISCO (“San Francisco” or “Plaintiff”), Defendant CITY OF OAKLAND (“Oakland”), and Defendant and Counterclaimant PORT OF OAKLAND (“Port of Oakland”) (collectively the “Parties”), submit this Stipulation and [Proposed] Order Continuing Case Management Dates and Deadlines for the Court’s consideration.

1. WHEREAS, San Francisco initiated this action alleging that the renaming of Metropolitan Oakland International Airport to “San Francisco Bay Oakland International Airport” (“OAK”) infringes upon San Francisco International Airport’s registered and recognized trademark.

2. WHEREAS, the Port of Oakland vigorously disagrees with San Francisco’s allegations, and filed an Answer and Counterclaim, in which the Port of Oakland seeks a declaration that use of the name of OAK, the San Francisco Bay Oakland International Airport (the “New Name”), does not infringe on the City’s purported trademark under the Lanham Act or common law, and for other relief.

3. WHEREAS, the City of Oakland vigorously disagrees with San Francisco’s allegations and contends that the City of Oakland is not a proper party to this action.

4. WHEREAS, the Parties wish to engage in early settlement discussions to potentially resolve their dispute and to avoid any needless additional litigation costs.

5. WHEREAS, the Parties have agreed to mediate with the Honorable Elizabeth LaPorte (Ret.) and are working to schedule mediation with Judge LaPorte in August 2024.

6. WHEREAS, the Court has not yet entered a Rule 16 Scheduling Order for this case.

7. WHEREAS, granting a continuance would allow the Parties to concentrate their efforts on an expeditious resolution of this case and conserve judicial resources.

8. WHEREAS, the Parties seek to not be prejudiced by the passage of time during stay of this action to allow for their engagement in mediation.

For the above reasons, the Parties stipulate as follows:

The Parties jointly request that the Court continue the date set for the Initial Case Management Conference in the above-referenced case by 90 days, to October 17, 2024, and to modify the dates set in the Court’s ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE AND ADR

STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT DATES AND DEADLINES  
Case No. 3:24-cv-02311-TSH

DEADLINES, (Dkt. 8, dated April 19, 2024), in accordance with the new date for the Initial Case Management Conference, as follows:

Case Management Event	Current Date	Proposed Date
Deadline to file ADR Certification. (ADR L.R. 3)	6/27/2024	9/26/2024
Deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan. (F.R. Civ. P. 26(f))	6/27/2024	9/26/2024
Deadline to make initial disclosures. (F.R. Civ. P. 26(a)(1))	7/11/2024	10/10/2024
Deadline to file Joint Case Management Statement.	7/11/2024	10/10/2024
Initial Case Management Conference.	7/18/2024 at 10:00 a.m.	10/17/2024 at 10:00 a.m.

The Parties also stipulate pursuant to Civil Local Rule 6-1(a) to a further 90-day extension of time for Plaintiff to answer, or otherwise respond to, Port of Oakland's Counterclaim until up to and including October 1, 2024.

The Parties further stipulate that this 90-day continuance cannot be used against any Party for any reason in the litigation including in seeking and/or opposing preliminary injunctive relief, nor can the fact or terms of the 90-day continuance be construed by or against any Party as an admission of liability.

Dated: June 26, 2024

DERGOSITS & NOAH LLP

By: /s/ Igor Shoiket  
Michael E. Dergosits  
Igor Shoiket  
Attorneys for Plaintiff  
CITY AND COUNTY OF  
SAN FRANCISCO

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1 Dated: June 26, 2024

FENNEMORE WENDEL

2  
3 By: /s/ Eugene M. Pak

Eugene M. Pak

4 Attorneys for Defendant and Counterclaimant  
5 City of Oakland, a municipal corporation, acting  
6 by and through its Board of Port  
Commissioners (PORT OF OAKLAND).

7 Dated: June 26, 2024

8  
9 By: /s/ Christina Lum

Christina Lum

10 Attorney for Defendant City of Oakland, acting  
11 by and through its City Council (CITY OF  
12 OAKLAND).

13 **ATTESTATION**

14 Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest all signatories above have concurred in  
15 the filing of this document.

16 Dated: June 26, 2024

17 /s/ Igor Shoiket  
Igor Shoiket

**~~PROPOSED~~ ORDER**

PURSUANT TO STIPULATION of the Parties, the Court hereby orders that the Case Management dates be continued as follows:

<b>Case Management Event</b>	<b>Current Date</b>	<b><del>Proposed Date</del> NEW DATES</b>
Deadline to file ADR Certification. (ADR L.R. 3)	6/27/2024	9/26/2024
Deadline to meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan. (F.R. Civ. P. 26(f))	6/27/2024	9/26/2024
Deadline to make initial disclosures. (F.R. Civ. P. 26(a)(1))	7/11/2024	10/10/2024
Deadline to file Joint Case Management Statement.	7/11/2024	10/10/2024
Initial Case Management Conference.	7/18/2024 at 10:00 a.m.	10/17/2024 at 10:00 a.m.

The last day for Plaintiff to answer, or otherwise respond to, Defendant/Counterclaimant Port of Oakland's Counterclaim is hereby extended up to and including October 1, 2024.

**IT IS SO ORDERED**

Date: June 26, 2024

  
THOMAS S. HIXSON  
United States Magistrate Judge